

A TRUE
CHARACTER

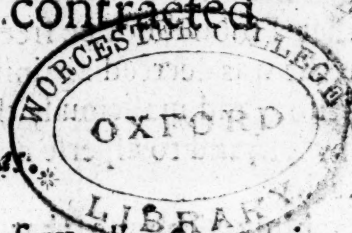
OF

Injustice and oppression,

OR,

A Relation of the Suit in Chancery be-
tween *Harris* and *Ward*, contracted
by *W A R D*.

Vireseit vulnere veritas.



H *Arris* committed to the disposall of *Woodhouse*, certaine The Case
goods of *James*, and afterwards finding them pawned by
Woodhouse, refused paying their Ingagements, to take them
into his power; but by indirect means wrought *Ward*
and *Dike* into a Bill of debt for a calculated sum (which those goods
might probably produce in sales) from whence the charges of the
goods, and the value of a Bill of Exchange were by agreement to be
defalked: But now so it hap'ned that the Bill of Debt before it
grew due, by the condition thereof (which was if one *Tedesco* be-
came insolvent) became void, as to the sum thereof, and therefore
Ward and *Dike* refused to pay any more then what remained (*de-*
ductis deducendis) in their hands. Hereupon *Harris* having imprison-
ed *Woodhouse* in London, sets him at liberty, and exhibits his Bill in
Chancery against *Dike* and *Ward*, wherein he pretends that the right
of *James* (who died a Bankrupt) was in him the said *Harris* by law-
full assignment.

Albeit that *Dike* in his Answer denied the severall Charges of *Har-*
ris his Bill, yet neverthelesse, without *Dikes* assent upon Bill and
Answer, the matters were then presently referred to Commissioners,
(*Abbot Leat* and *Fishburne*) who without examining any Witnesse,
Proceedings a-
gainst
Dike.

A

partially

partially raising the sum of Debt which was conditionall, to be as absolute, certified that there was 1524 pounds (whereof l. 1303. 1. 2. are feigned, as by the generall account hereafter doth appear) due to *Harris*, whereunto they added 340. pounds for (imaginary) damages, and 10. pounds for costs of Suit, which being confirmed by Doctor *Williams* then Bishop of Lincoln, and Lord Keeper of the great Seal, a Decree (so stiled) was thereupon drawn up, ingrossed, and sealed against *Dike* for 1874. pounds, whom *Harris* neither imprisoned, nor further molested: thus in my absence the foundation of my insuing troubles was laid.

Proceed-
ings a-
gainst
Ward.

A great
cruelty.

Neverthelesse, trusting in the justnesse of my cause, I leaving Italia came into England, where the next morning after my arrivall, *insalutato hospite*, my liberty was surprised by Writ of *ne exit Regnum*, granted upon false suggestion, and by excepting against variety of good Baile, I was continued a prisoner till the said *Williams* ordered that I should not be freed of that Writ, unlesse I gave security to pay what was decreed against *Dike*: thus I was wrongfully thrust into prison, and maliciously there detained, to disable me from defending my self, and to asperse my reasons, which thereby have had no signification.

Now although that I likewise in my Answer denied the severall Charges of *Harris* his Bill, and did further set forth (so far as I then wanting my books of Accounts remembred) what remained of all the goods which *Woodhouse* left pawned at Naples: yet neverthelesse in manner as against *Dike*, the matters were then presently referred to the said Commissioners, though (as I had just cause) I excepted against them, but at *Harris* his motion [he did then what he listed] *Leat* was thrust out, and *Bateman* and *Mun*, were put into Commission in his room, to whom was added Sir *Euball Thelwall* a Master of that Court, which Commissioners (being swayed by the said *Abbot*) likewise without examining any Witnesse, then speedily certified, confirming in all points the former Certificate, and without Warrant from their Commission added l. 169. 6. 8. for more imaginary damages, and 5. pounds for costs of Suit; which being confirmed by the said *Williams*, a Decree (so called) was thereupon drawn up, ingrossed, and sealed against me, for l. 2048. 6. 8.

Wards
crosse Bill.

After these irregular and extrajudiciall proceedings upon *Harris* his Bill, Sir *Thomas Coventry* then keeping the great Seal, I sought relief by crosse Bill; but *Harris* in his Answer then desperately affirmed, that the goods in question (in part whereof he had received by the

the said Bill of Exchange for the use of *James*, the value of 550. pounds, or thereabout, even 2000. dollars) which cost with charges only 1200. pounds, or thereabout; stood in 3500. pounds: whereupon grounding his impudent clamours, he hurried me to a hearing (the matters being acted in *Italic*) in the absence of some materiall Witnesses: At which ~~the~~ hearing (which was in April 1627.) the said *Coventry* pronouncing *Tedesco* insolvent, (though left out by *Edwards* the Register in drawing up the Order) declared that he nevertheless meant to charge me with what came to my hands: whereupon I demanded that (laying aside the aforesaid feigned and imaginary sums certified) I might be charged no further then the sum that the goods were sold for, and that I might have full allowance for the charges of the goods, and for the Bill of Exchange, and likewise that I might have allowance for the bad debts which never came to my hands, and for the moneyes paid to redeem and save the goods, when I was absolved and freed from the Bill of Debt; (for had I then stood a Spectator, and suffered them, as they were in danger; to have been lost, I could not have been questioned neither by Law, nor in equity:) All which demands were then presently granted (in words, but by the said Register afterwards taken away in effect) only there fel a great and long dispute concerning the redemption, even til *Harris* his counsel having nothing further to say therein were at a silent stand: when the said *Coventry*, as one concerned and ingaged, objected, saying that you (meaning me) were engaged joynly with the goods, and could not free your self, but must free the goods, therefore you shall have no allowance for redeeming the goods: but I clearing this objection, he further impudently objected, saying, that *Woodhouse* did not pawn the goods, whereupon I shewed, by the Depositions of him (Mr. *Gardner*) to whom the bill of debt was made payable; that *Woodhouse* pawned the goods, but *Coventry* then cavelling said, that upon one witnesse he would not undo two Decrees (for so he was pleased then to stile the said Certificates decreed, whereas by a former order of his own, he declared that the matters never had been judicially heard) and thereupon referring the matters of accounts to the said Master, and to such accomptants as he should call to him, and ordering that his report should (before hand) stand decreed without further motion (so I was not permitted to shew cause against it) he suddenly slipt out of Court: whereupon the said Register in drawing up the Order, waving what was declared and ordered, opened a gap for the Master to proceed upon the aforesaid feined and imaginary

A desperate Oath.

Two false Objections.

Horrid
injustice.

imaginary sums, therefore, and finding before that the order was entered, that I was able to shame *Coventry* his feined incredulity by proving further and fully that *Woodhouse* pawned the goods, I moved, praying that I might be further heard, and that the perverted and corrupted order might be reformed and rectified: but *Coventry* making no conscience of the solemn oath that he had taken, to hear the Subjects or peoples complaints, nor that he had overthrown my cause by a lie devised by himself, nor that he slipt out of Court, when my cause should have been further heard, peremptorily refused to hear me, and further thrust me of saying, that the Register was upon his oath, so that the order without any reformation stood: And the Master (rejecting my accounts of the receipts and payments, as they in truth were acted) instead of making me good, the bad debts and other matters as were ordered; by the help of such accountants as *Harris* produced (so the matters were in effect referred to *Harris*) found out a devise to add 1.84.18.8. more to the latter summe certified, for he reported that I owed 1.2133.5.4. (whereof 1.609.5.4. are for imaginarie damages and costs) thus a surreptitious untimely and unjust Decree was drawn up, ingrossed and sealed against me (for the sum reported) upon my own Bill exhibited for my relief.

Observa-
tions.

Now here it is observeable, that the first Certificate is grounded upon the bill of debt, the second Certificate upon letters of advised attestations, testimonialls, accounts, and other writings (so termed) and the order at the hearing, upon divers instruments (so blindly called without expressing their dates, or what they are) thus these illegall Decrees, have shifted from one rotten ground to another, and are in effect without any foundation at all, but hang in the air (like Mahometts supposed chest) only upon that idolized word, Decree, which hath sustained them: And the severall substances of all the orders (against me) Certificates and Report are grounded upon lies, for they suppose a debt which is feined; and praying to have a sight and copy of *Harris* his assignment, if he have any, it hath been denied me, and *Harris* hath been protected in not shewing the same: And petitioning for a *ne exit regnum* against *Woodhouse*, *Coventry* denied to grant it, so *Woodhouse* went beyond Seas, where he keeps and dare not come home: And as often as I by shewing as well the absurdity, as the illegality of these supposed Decrees, sought relief: *Coventry* denying to hear me, bad me perform the Decree, that is, pay a feined debt (which he by long and false imprisonment hath disabled me to pay) and then I should have my cause reheard: but he that stood thus

thus upon rules, laid those rules aside in his untimely and irreparable decreeing against me, however the people never gave their assents to those rules, but they were made out of the insolency of some of his Predecessors, and are like the Popes Cannons, (fast and loose) for the Authors reserved a power within themselves to dispence, and have dispenced with them at their pleasures: but so it is, that *Coventry* having judged me by his will, held me (against Law and Conscience) in prison by his power: thus he made that Court an inextricable snare to enslave (better for me to have been captive to an Infidell) my liberty and destroy my estate.

But *Harris* not satisfied, nor contented, with my wrong imprisonment, vowing and protesting that he would lay me so low, as I should never rise more, practised against my estate, whereby I lost the value of 686. pounds of principall, as by the particulars at the foot of the ensuing account, may appear.

Here followeth the generall Account of all the aforementioned parcels and sums (in credit and debt) which is thus, viz.

The Commissioners in their first Certificat charged the calculated sum [instead of D. 9153. 4. 17. which the goods were sold for] which is, D. 9856. 1. 10.

From whence they defaulted only,	
For part of the Bill of Exchange,	D. 2100.
For part of the charges of the goods,	D. 788. 1. 10.
Which being deducted, they made to remaine,	<u>D. 6958.</u>

Which they valuing at 52½ [being worth only 45] pence per Ducket [casting off 5. shillings upon the whole, produced the sum of

Against which my exceptions are as followeth.

This Character D. denotes a Ducket.

1. 1524.

They

Excep-
tions.

They charged more then the goods were sold for, } D. 702.1.13. l. 153.12.8
And allowed lesse then the value of the Bill of Exchange, } D. 300. l. 65.12.6
And allowed lesse then the charges of the goods, } D. 17.2.15. l. 3.16.9
And charged the bad debts which never came to hand, which import, } D. 1158.3.18. l. 253.9.8
And did not make good the monyes paid to redeem and save the goods, which import, } D. 3598.1.12. l. 787.2.8

Note these Duckets are reduced into pounds in this double margent, as the Commissioners valued them.

And there is seven pence half penny per Ducket, casting off five shillings surcharged upon the remaining } D. 1191. 2. l. 36.19.5
D. 1968. l. 1300.13.8

And there was disbursed, which hath not been been made good by *Beriman Melmoth*, for charges of these goods in new money, } l. 2. 7. 6
D. 9.2.10. which are worth

Which (l. 1303. 1.2. of feigned principall) being deducted, there remains only, } 220.18.10

Nevertheless the Commissioners and Master at severall times adding l. 609.5.4. for imaginary damages and costs, mounted this supposed debt to l. 2133.5.4. but where the foundation (principall) fails, there the building (interest) cannot stand; therefore, and for not incumbering the Account with superfluous and impertinent sums, I neither bring these damages nor costs into debt nor credit.

Now here I demand allowance and satisfaction for these parcells, which I have lost by the practice of *Harris*; following, *viz.*

Lost by his sending a scandalous Certificate of my imprisonment to Naples, the value of } l. 278.
Lost by his keeping me blindfold from assuring my goods, through his intercepting my Letters of advise, } l. 308.
Lost by his procuring a debt of mine to be sequestred, which was, } l. 100.

The sum of these losses is,

l. 686.

From whence deducting the abovesaid sum of prin- } 1.120.18.10.
cipall remaining, which is,

Harris (the illegall decree being satisfied) owes me, } 1.465.1.2.

Thus all the said differences in credit and debt, are truly stated.

Now in November, 1640. the honorable House of Commons ad- An Ap-
peal.
mitting of my Appeal, granted me liberty and priviledge to pro-
secute my complaint made to them of these illgall Decrees, in pursuit
whereof whilst I was permitted to go abroad [for I was restrained five
moneths and upwards in contempt of their Order] I solicited the
grand Committee for Courts of Justice, and after the dissolution of
that Committee, the publike distractions prevented my further pro-
secution: Neverthelesse upon the 10. of December, 1649. the
Commissioners for the great Seal, [in the absence of the Lord *Whit-
locke*] preferring their own subordinate and derivative power before
the Supreme and Primitive Authority of the Parliament; upon sur-
mizes that I had neglected to prosecute my complaint, and that I
had removed my self from the Fleet to the Upper Bench (whereas I
prosecuted as aforesaid, and was removed to the Bench by the under-
hand practice of *James Ingram* the Deputy-Warden of the Fleet)
took away the liberty which the Parliament had granted me, by re-
manding me to the Fleet: but upon the 5. of March, 1649. the said
Commissioners with Lord *Whitlocke*, upon true informations ordered
me my former liberty upon such security for true imprisonment, as
M. Rich a Master of that Court should allow, who flying from 2500.
[propounded by himself] to 6000. pounds security, beat off my friends
from being bound, besides other insolent abuses which he obtruded
upon me only for speaking of truth, and offering to prove that the
debt in question is feigned, and that *Harris* owes me 465. pounds:
Thus the Commissioners Order was eluded, til [the 22. of April, 1650.]
that the said Commissioners (in the absence of Lord *Whitlocke*, as
before) dissolved the Order for my enlargement, only leaving me
to shew cause; but having found by experience that the Orders of
that Court to me have been no lesse endlesse then easelesse, and see-
ing that I have to contend with their wills, and not with their un-
derstandings, (for I have shewed them sufficient reasons for my liber-
ty) and that they ~~will not~~ no lesse ~~at my~~ ruine, then my
thraledome; therefore as before, I now again humbly renew and re-
vive my Appeal to the Parliament.

Now the sum of the substance of the aforesaid matters is thus: A brieve
From *Annas* to *Caiphas*, from *Caiphas* to *Pilate*, and from *Pilate* to recapitu-
Herod; lation.